

EXHIBIT A

Main Identity

From: "Michael F. Petock, Esq." <mfpetock@comcast.net>
To: "Charles Quinn" <cquinn@foxrothschild.com>
Cc: "Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>; "Barag, Sherry" <SBarag@foxrothschild.com>; "John Day" <jday@ashby-geddes.com>; "Sharon Oras Morgan" <smorgan@foxrothschild.com>
Sent: Wednesday, January 18, 2006 4:49 PM
Subject: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Dear Mr. Quinn:

As I'm sure you are aware, the Scheduling Order requires that the parties file with the Court a joint proposed final pretrial order with the information required by the form of Final Pretrial Order which accompanies the Scheduling Order on or before March 6, 2006. In order to comply with Section VI of the form of Final Pretrial Order we will need to exchange lists and copies of exhibits ahead of time so that objections to any exhibits can be made and be made part of the pretrial order. In order to comply with Section IX of the form of Final Pretrial Order and Paragraph 12 of the Scheduling Order, motions *in limine* must be exchanged in advance so that each party will have time to respond to each others *in limine* request and both the request and the response can be made part of the pretrial order. Finally, the Pretrial Order requires us to work together in an attempt to agree on certain things such as jurisdiction (Section II), undisputed facts (Section III), issues of law (Section IV) and other matters (Section X).

We propose that the parties exchange lists and copies of exhibits and *in limine* requests and briefs (if any) by no later than February 10, 2006. Further, we propose that the parties exchange objections to exhibits and responses to *in limine* requests by no later than February 24, 2006. Please advise as to whether the foregoing dates are acceptable to Defendants.

Sincerely,

Michael C. Petock

PETOCK & PETOCK, LLC
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856
Telephone: (610) 935-8600
Facsimile: (610) 933-9300
E-Mail: MFP@IPLaw-Petock.com

NOTICE:

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EXHIBIT A

2/22/2006

EXHIBIT B

Main Identity

From: "Quinn, Charles N." <CQuinn@foxrothschild.com>
To: "Michael F. Petock, Esq." <mfpetock@comcast.net>
Cc: "Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>; "Barag, Sherry" <SBarag@foxrothschild.com>; "John Day" <jday@ashby-geddes.com>; "Morgan, Sharon Oras" <SMorgan@foxrothschild.com>; "Pileggi, Francis" <FPileggi@foxrothschild.com>; "Niederman, Seth A." <SNiederman@foxrothschild.com>
Sent: Thursday, January 19, 2006 1:24 PM
Subject: RE: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Dear Mr. Petock:

Thank you for this message.

We will get back to you shortly with our views on your proposed schedule.

Charlie Quinn

Charles N. Quinn
Fox Rothschild LLP
2000 Market Street, 10th Floor
Philadelphia, PA., 19103-3291, U.S.A.

215-299-2135
215-299-2150 (fax)
cquinn@frof.com

From: Michael F. Petock, Esq. [mailto:mfpetock@comcast.net]
Sent: Wednesday, January 18, 2006 4:50 PM
To: Quinn, Charles N.
Cc: Ruckstuhl, Gayle; Barag, Sherry; John Day; Morgan, Sharon Oras
Subject: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Dear Mr. Quinn:

As I'm sure you are aware, the Scheduling Order requires that the parties file with the Court a joint proposed final pretrial order with the information required by the form of Final Pretrial Order which accompanies the Scheduling Order on or before March 6, 2006. In order to comply with Section VI of the form of Final Pretrial Order we will need to exchange lists and copies of exhibits ahead of time so that objections to any exhibits can be made and be made part of the pretrial order. In order to comply with Section IX of the form of Final Pretrial Order and Paragraph 12 of the Scheduling Order, motions *in limine* must be exchanged in advance so that each party will have time to respond to each others *in limine* request and both the request and the response can be made part of the pretrial order. Finally, the Pretrial Order requires us to work together in an attempt to agree on certain things such as jurisdiction (Section II), undisputed facts (Section III), issues of law (Section IV) and other matters (Section X).

We propose that the parties exchange lists and copies of exhibits and *in limine* requests and briefs (if any) by no later than February 10, 2006. Further, we propose that the parties exchange objections to exhibits and responses to *in limine* requests by no later than February 24, 2006. Please advise as to whether the foregoing dates are acceptable to Defendants.

Sincerely,

EXHIBIT B

2/14/2006

Michael C. Petock

PETOCK & PETOCK, LLC
46 The Commons at Valley Forge
1220 Valley Forge Road
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Thank you.

2/14/2006

EXHIBIT C

Main Identity

From: "Michael F. Petock, Esq." <mfpetock@comcast.net>
To: "Sharon Oras Morgan" <smorgan@foxrothschild.com>; "Charles Quinn" <cquinn@foxrothschild.com>
Cc: <jday@ashby-geddes.net>; <gruckstuhl@frof.com>; "Barag, Sherry" <SBarag@foxrothschild.com>
Sent: Wednesday, February 08, 2006 4:50 PM
Subject: wayne van scoy v. van scoy diamond mine of delaware, inc. et al

Dear Sharon:

This is a follow up to my e-mail to Charlie of January 18, 2006 and to the telephone conference with you and Michel F. Petock on February 3, 2006 regarding the proposed pretrial order. As of today Defendants have not responded to Plaintiff's proposed dates for the exchange of exhibits, designations of deposition transcripts by page and line number to be used, motions *in limine* and objections thereto or with alternate proposed dates. Please respond as soon as possible with a proposed schedule for exchanging this information.

Sincerely,

Michael C. Petock

PETOCK & PETOCK, LLC
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
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EXHIBIT C

2/13/2006

EXHIBIT D

Main Identity

From: "Michael F. Petock, Esq." <mfpetock@comcast.net>
To: "Quinn, Charles N." <CQuinn@foxrothschild.com>; "Sharon Oras Morgan" <smorgan@foxrothschild.com>
Cc: "Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>; "Barag, Sherry" <SBarag@foxrothschild.com>;
"John Day" <jday@ashby-geddes.com>; "Pileggi, Francis" <FPileggi@foxrothschild.com>; "Niederman,
Seth A." <SNiederman@foxrothschild.com>
Sent: Tuesday, February 14, 2006 4:50 PM
Subject: Re: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Dear Mr. Quinn and Ms. Morgan:

As may be seen below, our e-mail to you of January 18, 2006 is with respect to requesting agreement upon a schedule for the exchange of information for the Proposed Pretrial Order. Although Mr. Quinn replied on January 19, 2006 that he would get back to us shortly with his views on the proposed schedule, we have not heard substantively from either of you. I also discussed this with Ms. Morgan on February 3, 2006 and we sent another e-mail on February 8, 2006 with respect to request to at least agree upon a schedule for the exchange of the necessary information for the Proposed Pretrial Order.

I also placed a call to Mr. Quinn on the morning of February 14, 2006, but he did not take the call. As of the time of this e-mail, Mr. Quinn has not returned the telephone call.

As you know, each party has to provide any objections with respect to proposed evidence in the form of exhibits or deposition testimony as well as responses to motions in limine. We also need to try to reach agreement on various other matters including undisputed facts, issues of law and other matters.

We express our deepest sympathies and condolences to Mr. Quinn and his family, but Ms. Morgan ought to be able to provide us with a schedule of dates for exchange of the initial information and subsequent objections, if any, allowing enough time to be able to assemble and file the Proposed Pretrial Order by the due date of March 6, 2006.

Since we have been asking for an agreement as to a schedule for the exchange of this information since January 18, 2006, without any substantive response to date, if we do not received a response by the end of the day Thursday, February 16, 2006, you will leave us with no choice but to contact the Court requesting that the Court impose a schedule for the exchanges of information for the Proposed Pretrial Order..

Sincerely,

Michael F. Petock

PETOCK & PETOCK, LLC
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856
Telephone: (610) 935-8600

EXHIBIT D

2/14/2006

EXHIBIT E

Main Identity

From: "Morgan, Sharon Oras" <SMorgan@foxrothschild.com>
To: "Michael F. Petock, Esq." <mfpetock@comcast.net>; "Quinn, Charles N." <CQuinn@foxrothschild.com>
Cc: "Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>; "Barag, Sherry" <SBarag@foxrothschild.com>;
"John Day" <jday@ashby-geddes.com>; "Pileggi, Francis" <FPileggi@foxrothschild.com>; "Niederman,
Seth A." <SNiederman@foxrothschild.com>
Sent: Tuesday, February 14, 2006 4:59 PM
Subject: RE: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Because of the circumstances involving Charlie Quinn's family, he will be unavailable the remainder of this week, but I expect that the beginning of next week he will be back and we can then address the Proposed Pretrial Order with ample time to file a proposed pretrial order by March 6. I believe this is responsive to the email below.

From: Michael F. Petock, Esq. [mailto:mfpetock@comcast.net]
Sent: Tuesday, February 14, 2006 3:55 PM
To: Quinn, Charles N.; Morgan, Sharon Oras
Cc: Ruckstuhl, Gayle; Barag, Sherry; John Day; Pileggi, Francis; Niederman, Seth A.
Subject: Re: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Dear Mr. Quinn and Ms. Morgan:

As may be seen below, our e-mail to you of January 18, 2006 is with respect to requesting agreement upon a schedule for the exchange of information for the Proposed Pretrial Order. Although Mr. Quinn replied on January 19, 2006 that he would get back to us shortly with his views on the proposed schedule, we have not heard substantively from either of you. I also discussed this with Ms. Morgan on February 3, 2006 and we sent another e-mail on February 8, 2006 with respect to request to at least agree upon a schedule for the exchange of the necessary information for the Proposed Pretrial Order.

I also placed a call to Mr. Quinn on the morning of February 14, 2006, but he did not take the call. As of the time of this e-mail, Mr. Quinn has not returned the telephone call.

As you know, each party has to provide any objections with respect to proposed evidence in the form of exhibits or deposition testimony as well as responses to motions in limine. We also need to try to reach agreement on various other matters including undisputed facts, issues of law and other matters.

We express our deepest sympathies and condolences to Mr. Quinn and his family, but Ms. Morgan ought to be able to provide us with a schedule of dates for exchange of the initial information and subsequent objections, if any, allowing enough time to be able to assemble and file the Proposed Pretrial Order by the due date of March 6, 2006.

Since we have been asking for an agreement as to a schedule for the exchange of this information since January 18, 2006, without any substantive response to date, if we do not received a response by the end of the day Thursday, February 16, 2006, you will leave us with no choice but to contact the Court requesting that the Court impose a schedule for the exchanges of information for the Proposed Pretrial Order..

EXHIBIT E

2/22/2006

EXHIBIT F

Main Identity

From: "Michael F. Petock, Esq." <mfpetock@comcast.net>
To: "Morgan, Sharon Oras" <SMorgan@foxrothschild.com>; "Quinn, Charles N." <CQuinn@foxrothschild.com>
Cc: "Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>; "Barag, Sherry" <SBarag@foxrothschild.com>; "John Day" <jday@ashby-geddes.com>; "Pileggi, Francis" <FPileggi@foxrothschild.com>; "Niederman, Seth A." <SNiederman@foxrothschild.com>
Sent: Wednesday, February 15, 2006 11:42 AM
Subject: Re: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Dear Mr. Quinn and Ms. Morgan:

In view of your e-mail responses, and particularly Mr. Quinn's response that he will be out of the office only through Friday February 17, 2006, it is requested that the agreed upon schedule for the exchange of the information be worked out between the parties by no later than 4 PM on Monday February 20, 2006. That will allow only ten (10) business days for the exchange of information, responses and assembly and filing of the Proposed Pretrial Order. If the schedule is not agreed upon by 4 PM on Monday February 20, 2006, you will leave us with no choice but to contact the Court requesting that the Court impose a schedule for the exchange of information for the Proposed Pretrial Order.

Sincerely,

Michael F. Petock

PETOCK & PETOCK, LLC
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856
Telephone: (610) 935-8600
Facsimile: (610) 933-9300
E-Mail: MFP@IPLaw-Petock.com

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----- Original Message -----

From: Morgan, Sharon Oras
To: Michael F. Petock, Esq. ; Quinn, Charles N.
Cc: Ruckstuhl, Gayle ; Barag, Sherry ; John Day ; Pileggi, Francis ; Niederman, Seth A.
Sent: Tuesday, February 14, 2006 4:59 PM

EXHIBIT F

2/22/2006

EXHIBIT G

RECEIVED

FEB 20 2006

Main Identity

PETOCK & PETOCK, LLC

From: "Quinn, Charles N." <CQuinn@foxrothschild.com>
To: <MP@IPLaw-Petock.com>; "Michael F. Petock, Esq." <mfpetock@comcast.net>
Cc: "Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>; "Morgan, Sharon Oras" <SMorgan@foxrothschild.com>; "John Day" <jday@ashby-geddes.com>
Sent: Monday, February 20, 2006 3:42 PM
Subject: Van Scoy v. Van Scoy

Mike:

Here is my understanding of the schedule to which we agreed a few minutes ago; please advise if your understanding differs.

Exchange of exhibit lists and copies of exhibits (including interrogatories and answers thereto and requests for admissions and answers thereto) – to be sent by overnight courier by each side on Monday 27 February

Electronic exchange of *in limine* requests – to be sent by each side Friday 24 February

Electronic Exchanges of objections to *in limine* requests, to deposition transcripts and to exhibits – to be sent by each side Friday March 3

Text of the Nature of the Case, Jurisdiction, Uncontroverted Facts and Agreed to Issues of Law – Roman numerals I, II, III and IV of Judge Jordan's "Proposed Final Pretrial Order" –Plaintiff to supply a draft electronically by Monday 27 February

Electronic exchanges of witness lists with deposition transcripts designated –to be sent by each side Wednesday 22 February

Charlie Quinn

Charles N. Quinn
Fox Rothschild LLP
2000 Market Street, 10th Floor
Philadelphia, PA., 19103-3291, U.S.A.

215-299-2135
215-299-2150 (fax)
cquinn@frof.com

ATTENTION:

IRS CIRCULAR 230 DISCLOSURE:

Pursuant to Treasury Regulations, any tax advice contained in this communication (including any attor

EXHIBIT G

2/20/2006

Main Identity

From: "Michael F. Petock, Esq." <mfpetock@comcast.net>
To: "Quinn, Charles N." <CQuinn@foxrothschild.com>
Cc: "Barag, Sherry" <SBarag@foxrothschild.com>; "Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>;
"Morgan, Sharon Oras" <SMorgan@foxrothschild.com>; "John Day" <jday@ashby-geddes.com>
Sent: Monday, February 20, 2006 4:50 PM
Subject: Wayne Van Scoy v. Van Scoy Diamond Mine of Delaware, Inc. et al.

Dear Mr. Quinn:

This will confirm our telephone conference regarding preparation of the Proposed Pretrial Order on February 20, 2006. It is my understanding that it was agreed as follows.

1. The parties will exchange witness lists electronically by Wednesday February 22, 2006.
2. The parties will exchange their *Motions in Limine* electronically by Friday February 24, 2006. Responses to the *Motions in Limine* will be served electronically by no later than Friday March 3, 2006;
3. The parties will exchange exhibits and exhibit lists by no later than Monday February 27, 2006. The lists will be exchanged electronically by no later than Monday the 27th and hard copies of the exhibits will be sent by overnight courier to opposing counsel by no later than Monday February 27, 2006. Objections to the exhibits will be inserted into the lists electronically by no later than Friday March 3, 2006.
4. The parties will provide designation of deposition transcripts to be used by page and line number by no later than Wednesday February 22, 2006. Objections to the use of such deposition transcripts are to be by no later Friday March 3, 2006.
5. Plaintiff will provide a draft of items I, II, III and IV of the Proposed Pretrial Order, namely a statement of the nature of the case, jurisdiction, uncontroverted facts and agreed to issues of law electronically by no later than Monday February 27, 2006. It is proposed that responses by Defendants will be electronically by no later than Thursday March 2, 2006.

Sincerely,

Michael F. Petock

PETOCK & PETOCK, LLC
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856
Telephone: (610) 935-8600
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E-Mail: MFP@IPLaw-Petock.com

2/22/2006

EXHIBIT H

RECEIVED

FEB 22 2006

PETOCK & PETOCK, LLC

Main Identity

From: "Quinn, Charles N." <CQuinn@foxrothschild.com>
To: "Michael F. Petock, Esq." <mfpetock@comcast.net>; <MP@IPLaw-Petock.com>
Cc: "John Day" <jday@ashby-geddes.com>; "Morgan, Sharon Oras" <SMorgan@foxrothschild.com>;
"Ruckstuhl, Gayle" <GRuckstuhl@foxrothschild.com>
Sent: Wednesday, February 22, 2006 5:30 PM
Subject: Van Scoy v. Van Scoy

Charles N. Quinn
Direct Dial: (215) 299-2135
Internet Address: cquinn@foxrothschild.com

February 22, 2006

VIA E-MAIL AND FIRST CLASS MAIL

Michael F. Petock, Esquire
46 The Commons at Valley Forge
1220 Valley Forge Road
Post Office Box 856
Valley Forge, PA., 19482-0856

**Re: Wayne Van Scoy v. Kurt Van Scoy, Donna Van Scoy, and
Van Scoy Diamond Mine of Delaware, Inc.
Case No. 05-108 (KAJ)
Our ref: 94214.90101**

Dear Mr. Petock:

Following up on our telephone conversation of earlier today, on the defendants' side we are going to do everything that we can to meet the schedule for submission of the pretrial order on 6 March 2006. However, as I mentioned to you, we, in all likelihood, are not going to be able to adhere to the schedule that you and I discussed on Monday, 20 February 2006 in light of the number of pressing matters I face, in addition to this lawsuit, as a result of being out of the office and out of the area for most of the preceding two weeks and being occupied prior to that with my mother's condition and her affairs. As you know, she died and we buried her last Thursday in Columbus, Indiana.

Turning back to the matter at hand, defendants currently intend to call as witnesses Mr. Kurt Van Scoy, Ms. Donna Van Scoy, Mr. Tommy Van Scoy, Jr., Mr. Kenny Van Scoy, Mr. Mark Mauer, Mr. Lew Hill, and Mr. Wayne Van Scoy as a hostile witness. Defendants reserve the right to add additional witnesses to this list in view of our discussion this morning.

Regarding designation of portions of deposition transcripts, we have not completed our analysis of those transcripts. Accordingly, to preserve defendants' right to use any or all of the deposition transcripts at trial, defendants hereby identify the depositions, in their entirety, of Ms. Jacqueline Savoca, Ms. Marie Kornish, Mr.

EXHIBIT H

2/22/2006

Alan Lapidus and the FRCP 30(b)(6) deposition of Rings of Romance.

All of this is without prejudice to defendants' right to move the Court for an extension of the 6 March 2006 due date for submission of the pretrial order, for the reasons I noted on Monday and again this morning when we spoke.

Very truly yours,

Charles N. Quinn

CNQ/ryb

cc: John G. Day, Esquire
Sharon Morgan, Esquire

Charles N. Quinn
Fox Rothschild LLP
2000 Market Street, 10th Floor
Philadelphia, PA., 19103-3291, U.S.A.

215-299-2135
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cquinn@fox.com

ATTENTION:

IRS CIRCULAR 230 DISCLOSURE:

Pursuant to Treasury Regulations, any tax advice contained in this communication (including any attachments) is intended or written to be used, and cannot be used or relied upon by you or any other person, for the avoidance of penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to tax advice addressed herein.

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Thank you.

2/22/2006